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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/993,633	11/27/2001	Yukitoshi Kato	029650-109	8228	
7	590 04/08/2003			•	
Platon N. Ma:		EXAMINER			
BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. BOX 1404 Alexandria, VA 22313-1404			PHANIJPHAND, GWEN G		
			ART UNIT	PAPER NUMBER	
			3731		
			DATE MAILED: 04/08/2003	DATE MAILED: 04/08/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

			A !! 4/ - \	- XX			
1		Application No.	Applicant(s)	>			
		09/993,633	KATO, YUKITOSHI				
	Office Action Summary	Examin r	Art Unit				
		Gwen Phanijphand	3731				
Period fo	- The MAILING DATE of this communication app	ars on the cover sheet w	vith the correspond nc address -	-			
	r Reply Drtened Statutory Period for Repl'	(IS SET TO EXPIRE 1 I	MONTH(S) FROM				
THE M - Exten after 3 - If the - If NO - Failui - Any fr	MAILING DATE OF THIS COMMUNICATION. sions of time may be available under the provisions of 37 CFR 1.1. SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statulory period or to reply within the set or extended period for reply will, by statute eply received by the Office later than three months after the mailing d patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a within the statutory minimum of the will apply and will expire SIX (6) MC cause the application to become	reply be timely filed irty (30) days will be considered timely. NTHS from the mailing date of this communica BBANDONED (35 U.S.C. § 133).	ation.			
Status		Navamba- 0004					
1)⊠	Responsive to communication(s) filed on 27 /						
2a) <u></u> □	,	is action is non-final.		uto io			
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
•	on of Claims	_					
	Claim(s) 1-19 is/are pending in the application						
	4a) Of the above claim(s) is/are withdra	wn from consideration.					
, —	Claim(s) is/are allowed.						
6)□	Claim(s) is/are rejected.						
7)	Claim(s) is/are objected to.						
	Claim(s) <u>1-19</u> are subject to restriction and/or	election requirement.					
	ion Papers	-					
	The specification is objected to by the Examine		the Evaminer				
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.							
If approved, corrected drawings are required in reply to this Office action.							
1	The oath or declaration is objected to by the Ex	Kanıllet.					
	under 35 U.S.C. §§ 119 and 120) C 440(a) (d) ~= (f)				
1	Acknowledgment is made of a claim for foreig	n priority under 35 U.S.C	., 3 119(a)-(a) or (i).				
a)	☐ All b)☐ Some * c)☐ None of:						
	1. Certified copies of the priority documen		APPm Al-				
	2. Certified copies of the priority documen			_			
*	3.☐ Copies of the certified copies of the price application from the International B See the attached detailed Office action for a lis	ureau (PCT Rule 17.2(a)).	9			
	Acknowledgment is made of a claim for domes			ication).			
] ,	a) The translation of the foreign language processes the comment is made of a claim for domestic the comment is made of the comment in the comment in the comment is made of the comment in the comment in the comment is made of the comment in the comment is made of the comment in the comment in the comment is made of the comment in the comment is made of the comment in the comment in the comment is made of the comment in the comment in the comment is made of the comment in the comment in the comment is made of the comment in the comment in the comment in the comment is made of the comment in the comment in the comment is made of the comment in the	ovisional application has	been received.				
Attachme		•					
1) Noti	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948) rmation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice	ew Summary (PTO-413) Paper No(s) of Informal Patent Application (PTO-152))			
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Application/Control Number: 09/993,633

Art Unit: 3731

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention: Figs. 1 and 6.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Application/Control Number: 09/993,633

Art Unit: 3731

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gwen Phanijphand whose telephone number is 703-305-4845. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Milano can be reached on 703-308-2496. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3590 for regular communications and 703-305-3590 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

GP (A) April 3, 2003

> Gwen Phanijphand Patent Examiner

Art Unit 3731

Michael J. Milano

Supervisory Patent Examiner

Technology Center 3700